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REPORT OF MEETINGS BETWEEN THE COMMANDERS IN CHIEF, UNITED STATES ARMY, EUROPE, AND GROUP OF SOVIET FORCES, GERMANY, COMPILED FROM NOTES OF COLONEL ERNEST VON PAWEL, COMMANDER FAHEY, LIEUTENANT COLONEL JOSEPH S. KIMMITT AND MASTER SERGEANT JOE R. VALLES.

1. GENERAL:

a. The Commander in Chief, USAREUR, and party -- consisting of four vehicles departed USCOB Residence in West Berlin at 051320 April 1962 arriving at Glienicke Bridge at 051350 April 1962. Upon arrival at the Potsdam side of the Bridge, CINC's party stopped only long enough to permit CINCUSAREUR and Lieutenant Colonel Charles G. Fitzgerald to dismount and meet Generalmajor Lazutin, the Soviet officer designated to escort CINCUSAREUR's party to the Soviet Officers' Club. The Club is located at the northeast corner of Hegel Allee and Schopenhauer Strasse.

b. Upon arrival at Soviet Officers' Club, CINC and party dismounted. Marshal Koniev, CINCSFG received CINCUSAREUR and they proceeded toward the Honor Guard. Upon reaching the flank of the Honor Guard and receiving the report of the Honor Guard Commander, Captain Slusarenko, the Soviet band played first the American National Anthem, followed immediately by the Soviet National Anthem. The two CINCs then proceeded to troop the front rank of the Honor Guard, followed by their respective interpreters (Colonel Basistov (Soviet) and Lieutenant Colonel Fitzgerald (US)).

c. This completed, the US and Soviet delegations assembled inside the Officers' Club and CINCUSAREUR was provided a three-room suite for a ten minute intermission to provide a place for disposition of outer coats and hats and bathroom facilities.

2. FIRST SESSION: (Soviet Officers' Club)

a. Upon termination of the above "break", Colonel Basistov escorted the US delegation to a large formal conference room where CINCSFG delegation was awaiting the US delegation.

b. In the center of the conference hall was a long conference table which provided for each CINC and delegation. Behind this table were two smaller conference tables for the five US and Soviet technical assistants. Everyone assumed their seats immediately with the two CINCs sitting opposite each other and their subordinate counterparts seated in normal order of precedence to the right and left. The two senior interpreters were immediately to each CINC's left.

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c. The US delegation consisted of:

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General Bruce C. rke, CINCUSAREUR, Major General Edgar C. Doleman, DCSOPS, AREUR, Colonel Ernest Von Pawel, Chief, US Military Liaison Mission and two interpreters, Lieutenant Colonel Charles G. Fitzgerald and Commander John Fahey.

d. The Soviet delegation consisted of:

Marshal of the Soviet Union Ivan S. Koniev, Generalmajor Kozlov, Chief, Operations Directorate, Colonel Ivan Banov, Chief, Soviet Military Liaison Mission, Frankfurt, and two interpreters, Colonel Basistov and Major Zhulev.

e. The US technical and administrative assistants consisted of Mr. Francis Meehan, Department of State, Lieutenant Colonel Joseph S. Kimmitt, Deputy SGS, USAREUR, Lieutenant Colonel A. R. Richstein, International Affairs Branch, Office of the Judge Advocate, USAREUR and Master Sergeant Joe R. Valles, Administrative Assistant to CINCUSAREUR and Specialist Four William Shrier, Office, SGS USAREUR.

f. The Soviet administrative and technical personnel consisted of the following identified personnel: Colonel Popov, Senior Lieutenant Gordeyev, Senior Lieutenant Kaynov and two unidentified field grade officers. All of these individuals displayed familiarity with the English language. Gordeyev is the Aide and English Interpreter for Colonel Solovyev, Soviet Commandant, East Berlin.

3. CONFERENCE DISCUSSION:

The following remarks were offered by the respective CinC's. A verbatim account was not obtained due to the lack of capabilities to accomplish. The remarks as reported are taken from the notes taken by Colonel Von Pawel and Commander Fahey.

KONIEV: I am happy to greet you and to welcome you here, especially to meet a fellow veteran of World War II when we were joint comrades fighting against the Fascist Germans. I show you a desire to meet and discuss questions which require discussion and agreement. The first of these is the reestablishment of normal relations and the relations between the two of us. The second is to discuss normalizing relations between the Berlin Commandants. If you agree, we can get to work. I am ready to hear your point of view.

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CLARKE: I am prepared to discuss military liaison mission relations, not other subjects which must be discussed on another level. I am prepared to discuss the problems of the MLMs. I suggest you come to the USMLM house where I can receive you and we can commence discussions.

KONIEV: Why not here? It would be possible to start here and continue later there. I ask that here we have an exchange of opinions; I would also like to invite you to dinner, and then go to the USMLM house.

CLARKE: I expected to complete discussions this afternoon. I thought it would not take long. My papers are in my car, I suggest we adjourn and go to the USMLM House and meet in twenty minutes.

(At this point, Major General Doleman, speaking to General Clarke, referred to the remarks of the Chief of Staff, GSFG (General Ariko) to Chief, USMLM (Colonel Von Pawel) earlier that the meeting at the Club would be more of a social occasion.)

CLARKE: I came to greet you and to pay my respects to you since this is the first time I have had the honor to meet you. Then after completing this as soldiers, we can sit down and go to work.

KONIEV: I propose opening conversations here with lunch afterwards.

CLARKE: I have already eaten lunch. I was not told of your plans for a luncheon.

CHIEF, USMLM: Passed notes to CINC recommending CINCUSAREUR accept CINCGSFG's initial proposal.

CLARKE: If I don't have to eat much - fine. I

KONIEV: If I can't extend. . . . if my hospitality is not accepted, I cannot show you Soviet traditional hospitality. We have good preparations. I think we can get to the subject of relations of MLMs quickly. If you have in mind the incident, I consider it not characteristic of relationships between the CINCs or between the missions. The incident was an accident and has no bearing on relationships and should not be permitted to interfere with continued good relations. You took the initiative to limit the SMLMF and you placed the guard around it. I answered this. It seems to me we should mutually remove the guards.

CLARKE: I hope we can come to full agreement that will accomplish this end. I must have assurances that such incidents as occurred will not occur again. We have had about sixty incidents involving USMLM as against twenty involving SMLMF; five or six of these incidents involving USMLM

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involved being shot at and I know of no instance where SMLMF has been shot at. (NOTE: General Clarke indicated that these figures were covering a 2 1/2 year period of time.) So I suggest that now we go ahead with lunch and then go to the USMLM House where my papers are located and so I can be sure of my facts, and not speak from memory.

KONIEV: The incidents that you have described are completely unknown to me, except for the last incident.

CLARKE: I can document all my statements.

KONIEV: We should not discuss each in detail. It seems our task is to reach an acceptable solution to preclude incidents in the future and to resume normal relations.

CLARKE: I must have assurances that there will be no more such incidents and once I have had these assurances, we shall then have a solution very quickly.

KONIEV: I expressed my regrets in my letter of 27 March to you. This determines our relation in this instance. In itself, the expression of regret contains the assurance that such incidents will not occur in the future. My regret is sufficient to cover our attitude.

CLARKE: I am happy to receive your regrets. However, I need assurances that Marshal Koniev will assure that such incidents will not occur again. An oral statement to this effect is acceptable. I can assure Marshal Koniev that such incidents will not occur to SMLMF. I now give those assurances. If Marshal Koniev gives me the same, I am happy and I think our mission in meeting here is accomplished. That is the primary reason for being here.

KONIEV: I agreed we should meet to discuss this, but -- in addition -- a letter does not express everything. I, for example, consider my regret did express my desires in this regard, and that this in itself was a clear and definite expression.

CLARKE: I agree with what you say about letters. But I considered it important to have this meeting and receive from you personally your assurances that you will take steps to prevent future incidents.

KONIEV: I must say that the operations of SMLMF -- as well as USMLM, that it is necessary to have regard for the laws of the country in which they are located. In the case of USMLM, the GDR. Therefore, I consider it that if USMLM shall observe laws, this will assist in the prevention of

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incidents. I have a whole list of violations of USMLM (showing) but I do not desire to discuss these in detail. I agree with you that it is not a question of violations, but we must do away with abnormal conditions. I see no reason for not normalizing relations and I am prepared to immediately withdraw my guards from USMLM if you agree and will give such orders as concerns the Soviet mission. Then, we can say we have returned to normal.

CLARKE: I still feel it necessary to get my papers. I suggest we now adjourn and then we accept your hospitality with great pleasure and then we will meet again at USMLM House.

KONIEV: I propose the other two tables behind us -- the technical and administrative staffs -- vacate the room and get ready for lunch. I have one question to discuss with you intimately right now.

(Technical and Administrative assistants left the conference room. It now appeared CINCUSAREUR would accomplish the US goal of having the business session at USMLM House.)

KONIEV: I have a question. According to the US press and other western press, just as in the last year, it is planned to have a parade in West Berlin next month. We have information -- unconfirmed -- to this effect that the US Command intends to display rockets and missile equipment and that the equipment is to come to Berlin by rail and highway. We cannot confirm this. If the Command does have these intentions and plans for executing these intentions, it is not in keeping with our common desire to not introduce complications. We have made assurances mutually Mr. Gromyko, Mr. Rusk at Geneva. . . . of this and I propose that such action is an infraction of the existing orders. The use of the access routes across the territory of the GDR to Berlin means poor relations. Therefore, I would like to discuss this to avoid these complications,

CLARKE: In May of each year, we have what we call Armed Forces Day. On this day we display weapons, speeches are made, and we have an open house for the civilian populace. This is done around the world. This year, I believe it will be the 19th of May. Directives for this are issued from Washington. We have little to do with it or decisions to make locally. So I feel that it is a question to be taken up on a higher level than the CINCS. I shall inform my government.

KONIEV: I do request it. We in the USSR and the US are interested in no complications while discussions continue. It is not necessary to create additional "heat." I think it is sufficient to display normal equipment and techniques without introducing missilery to Berlin. It is a part of an unpleasant thing to transport these missiles, etc. via all means through the

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GDR to Berlin and you know military aircraft through the air corridors are forbidden. In accordance with USSR-GDR agreements and our Warsaw Pact, we cannot permit violation of air corridors. This is why I bring this up now, since you are the CINC and all armed forces are under your command. You have authority to stop and prevent these complications.

CLARKE: I only command the Army. The Air Force is not under my command. I must pass this to my commander since the Air Force is under him.

KONIEV: This is clear.

CLARKE: I will pass on your feelings. I do not have authority to decide here.

KONIEV: Expressed appreciation, saying it is clear to me and I request you to take this action. That is why I brought it up and took the advantage to discuss it here and sent the others out of the room so that there would be no misunderstanding. If you have any questions to discuss intimately, we can do so.

CLARKE: Declined and proposed that the meeting adjourn. Marshal Koniev agreed and the delegates proceeded downstairs to a large dining room in which place settings were arranged for both delegations. The meal was typically Soviet, including hot and cold dishes and ample refreshments. Toasts between CINCs were exchanged to and including a toast in honor of the Huebner-Malinin Agreement. One of the final toasts offered by Marshal Koniev was to Lieutenant Colonel Kimmitt recognizing his birthday. Conversation at the dining room table was light and bantering, producing nothing of significance except on one occasion, Koniev asked General Clarke if General Watson was subordinate to CINCUSAREUR. General Clarke replied affirmatively explaining that he (General Watson) was subordinate to CINCUSAREUR in military matters only, but under Ambassador Dowling, Bonn, in matters pertaining to the political field.

4. SECOND SESSION. (At USMLM House, Potsdam)

General: a. CINCUSAREUR and US delegation departed the Soviet Officers' Club at 051612 April 1962 and arrived at USMLM House in Potsdam at 051620 April 1962 and awaited the arrival of the Soviet delegation. CINCSFG and ten delegates (same as those who met for first session) arrived at the USMLM Potsdam House at 051648 April 1962.

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The meeting was convened at 051650 April 1962. Seating arrangements and number of delegates on each side were identical to that as arranged by the Soviets for the first session. In addition, Marshal Koniev and his delegation were provided a three-room suite and bathroom on the second floor of the Mission House. CINCUSAREUR utilized the downstairs area for conferring with his delegation during the intermission.

b. The second session was recessed 051830.- 051904 April and was finally concluded at 051910 April 1962.

c. CINCUSFG and party departed USMLM house 051940 April and CINCUSAREUR departed the mission house 051948, arriving at Gleincke Bridge at 051955 April 1962.

d. At the Bridge, CINCUSAREUR dismounted and bade farewell to General Lazutin, Colonel Shegonin (Commandant of Potsdam) and Senior Lieutenant Zhelanov (of SERB). (This was the same Soviet group who met CINCUSAREUR and party when they crossed the Bridge into Potsdam.)

e. CINCUSAREUR arrived at Office, USCOB, 052020 April 1962.

f. All times cited herein are Alpha (Local time).

MEETING AT USMLM HOUSE: a. As in reporting conversation of the first session, the following is as nearly verbatim as was within the capabilities of Chief, USMLM, and Commander Fahey. Certain gaps or discrepancies may be noted which are clarified from the transcribed notes of Master Sergeant Valles, Administrative Assistant to CINCUSAREUR. The conversation then ensued as follows:

CLARKE: - Opening Remarks: I would first like to express my appreciation to Marshal Koniev for the hospitality that you extended to me and my delegation. I am also happy that you arranged such fine weather. This is a good omen. We are gathered here in order that I may have the assurance that USMLM is able to perform its functions and will not have harassments, undue precipitous actions taken against them. I will now make my opening statement. (See Appendix 1).

KONIEV: Is that all? I carefully listened to your statement. Concerning the question of relationship between our missions, I would like to leave the British mission (BRIXMIS) out. The British Mission does not concern us, but since it has been mentioned. . . . these are the facts. . . . the vehicle proceeded close to the border at that moment when the police of the GDR were on an alert, because they had received information of a possible at-

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tempt by citizen(s) of the GDR to cross the border. Suddenly, and under these conditions and in darkness, an unidentified vehicle approached the border, a signal to stop was disobeyed, and then did not react or obey. This is what caused the unpleasant incident with the British. CINCBAR and I exchanged letters and now consider the matter closed.

Now, take your incident in the vicinity of Gotha. As a result of investigation, the question has become complicated. It appears to have been that an officer of the USMLM in a mission vehicle did not obey the demand of the VOPO of the GDR and did not await the arrival of a Soviet officer. The mission officer who, in spite of demands of the VOPO, quickly drove away and almost struck the policeman. This probably caused the VOPO to adopt the measure of force adopted. I would not like at present to discuss a list of violations, although I have them (showing list). It is not a matter of discussion of individual violations, but rather to prevent future violations and to establish normal relations for your mission and my mission; therefore, I permit myself to repeat from my letter to you where I already expressed my regret for the incident, I repeat now and publicly express my regret. This defines my personal feelings. Together with this, I cannot help but speak that on the part of the US mission there have been repeated instances of violations of law and order of the GDR. This leads to undesirable consequences. I think you will agree to the absolute necessity of condition of mission operation and it is mandatory for the US Mission to respect the laws of the territory of the country in which it is located. In USMLM's case, the GDR. I agree completely with your opinion in your letter where you support my declaration that a given incident should not affect our relations (make more difficult); therefore, it follows that future activities will be normal.

Therefore, I consider that from our side any facts that are said here should not interfere with our normal atmosphere. You understand the right of immunity applies to both missions. Therefore, it is clear that the Huebner-Malinin Agreement remains completely and totally in force. Therefore, it would only complicate the situation more by injecting new elements. I support you completely that your mission should inform SERB immediately of any incidents. Corrective action will be taken. In the given case, our Commandant was in Erfurt, which is a considerable distance and time was required to call the Commandant. Insofar as you expressed displeasure with certain operations of SERB, I must inform you that SERB learned only of the incident when the Commandant returned and was able to advise SERB. Therefore, I, in such cases, assure you that my headquarters will react as soon as possible in an appropriate manner. I am in agreement with you that an individual policeman cannot interfere with our rights, but he is not responsible to me or you, but rather to the country and law on the territory of the country, in this case the GDR. Therefore, I propose that mutual understanding of our missions is identical, should be normal and will be complete execution of our agreement.

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CLARKE: I would suggest that in case of violations of a minor nature by USMLM that a record be made and that you inform me of them through proper channels for appropriate action. I assure you I will take action. This method, instead of prolonged detentions, harassments which constitute punishment by local police officers.

KONIEV: (interrupting) That is correct, I agree. (Since General Clarke was also talking, Koniev's statement here may not have been translated to CINCPAC).

CLARKE: If you agree, I will recognize your statement that we will return to normal operation.

KONIEV: That is correct.

CLARKE: If you agree, we understand each other and I will say our meeting has been successful and its purpose achieved.

KONIEV: That is correct.

CLARKE: I think you realize that our free press in West Berlin will gather around me and demand a statement when I return. I hope that I can give them this joint communique (showing copy) and that it will satisfy them. (General Clarke then offered a prepared joint communique which had been previously prepared in both languages.)(Koniev and Basistov studied the communique.)

KONIEV: We (Soviets) do not always follow the wishes of the press. The press acts sensationally and causes deterioration of relations.

CLARKE: I agree in some cases and the purpose is to prevent that.

KONIEV: I consider no need to revise, change, or add to the release. All is well said. I propose the situation which exists, we should hold to it (referring to the situation outlined in press release.)

CLARKE: This will prevent the press from speculation which is the worst thing they can do.

KONIEV: If it is necessary to issue a communique that we met, discussed, exchanged opinions, and arrived at appropriate agreements in accord with existing agreements -- strictly speaking these are extracts of already existing agreements. Therefore, is a joint communique necessary?

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CLARKE: I must issue a statement. It will be necessary when I return to Berlin.

KONIEV: Have you a copy of the Huebner-Malinin Agreement? (He requested this from his own staff and the US delegation.) The original signed document was given to him by General Clarke. (Koniev perused and observed)"It is a well written document."

CLARKE: After fifteen years, it is still well written.

KONIEV: I agree, we observe it. It would be excellent if it is announced that in the future, we will continue to observe the Huebner-Malinin Agreement. I propose our senior interpreters work out a draftis a communicate necessary?

CLARKE: It is very necessary that I give the press something. It must be carefully stated or they will either speculate or I will be misquoted. Our press is entirely free to say what they want. So I suggest you and I retire in another room while the staff prepares a satisfactory release.

KONIEV: (Paraphrased) In the question of the press....we are good government representatives. All commentary in the press is nonsense. Especially in West Berlin, there are difficult types. They make an elephant out of a mosquito.

CLARKE: I admit this to some degree. It is desirable to prevent this. Therefore, we should give them our words, so they don't think up words.

KONIEV: I think we can worry only about good relations....between us, our governments and our people.

CLARKE: I agree, but releases prevent the press from sensational stories which could injure relations.

KONIEV: I agree that the press often is not pleasant and causes false impressions between our peoples. Already there is much now written in the press in the West announcing threats, and provocations. We react calmly. I can again repeat that besides the desires of our headquarters for good relations with the headquarters of US Forces in Europe and also that mission which is accredited to me to maintain good relations and business-like contact. We have no other intentions or desires, other than the foregoing.

CLARKE: I am glad with this statement and attitude. The only thing to do now is to accept that the missions are handled on a basis to prevent incidents and agree to a statement to the press which I must make because

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I cannot avoid it. So I would like it short and to the point. I am willing to add that we operate under the Huebner-Malinin Agreement and that it is the basis for our operations.

KONIEV: We could, but I consider that that is already the case. The meeting between ourselves and a good discussion clears all doubts. Just the fact that one meeting normalizes relations between our missions. As you see, we are not applying threats or pressure on each other, but calmly discussing normalizing conditions. I, myself, feel no unrest about what is necessary to tell the press. I feel General Clarke has rapport with the press and can find the necessary words to be accurately and appropriately accepted by the press. As you know, nothing has appeared in the USSR press, therefore, if we adopt a communique it will not be clear to our press. If it is spoken about Germany between us there are no doubts. There have been violations but that should not affect our relations or business-like contacts. As for us, personally, in the Soviet High Command, we are only striving to have well being good relations between our military in Germany with yours and good relations between our peoples. This is a directive of the Soviet Government and people. You know our efforts towards peaceful solution of all problems between our countries and the importance of good relations between the military. The Soviet Government executes the will of our people to regard our responsibilities and duties to our people and avoid any conflict in Germany. You know we raised questions of the past war, signing a peace treaty with the GDR and regulating questions involving West Berlin. All this in order to put a period to World War II. I consider that we are representatives of our people and government and that we do not have any basis for complicating the situation in Germany, but rather should strive to solve problems in the best possible way.

CLARKE: I would change this and instead of a joint communique, I propose the change to be a statement only from me. I would like to dictate the statement for your comments. (General Clarke dictates statement to Sergeant Valles): "I met with Marshal Ivan S. Koniev, the Commander in Chief of the Group of Soviet Forces in Germany today to discuss the operations of the Military Liaison Missions accredited to our respective headquarters. Marshal Koniev and I exchanged assurances concerning the future safety and operation of the mission personnel. We agreed to methods to be used in the event of incidents involving the missions. We agreed that the future actions of the missions would be conducted in accordance with the Huebner-Malinin Agreement of 1947. We further agreed that our missions would resume their normal operations effective at once in accordance with the Huebner-Malinin Agreement of 1947."

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KONIEV: Unfortunately, I cannot recommend what announcement to make, but in any case this communique is a substitute for the Huebner-Malinin agreement. I consider essential the following: "We met - we reached agreement to resume normal operations effective at 0001, 6 April, in accordance with the Huebner-Malinin Agreement." Further, that our missions would resume normal relations effective at once in accordance with the Huebner-Malinin Agreement of 1947.

GENERAL DOLEMAN: Does this mean they will not shoot? (Comment translated by Basistov to Marshal Koniev, but disregarded when General Doleman followed by saying he "was not representing our side.")

KONIEV: About shooting, we have said everything, expressed regret, and consider the matter closed. In my written letter and here orally, I have expressed regrets on this. As a result, no further explanation is required.

CLARKE: My staff raises the point, which I do not wish to unnecessarily dwell upon: that East Germans will not interfere with my mission in carrying out their normal duties.

KONIEV: I think that Germans follow the laws of their country, and interfere only when violations occur. I consider that the GDR is a civilized state, like any, same norms as any, and laws that are applicable as in the United States. There are, in the GDR, many diplomatic missions here besides the (USMLM) Mission, and also from many capitalist countries. All operate under international law and accepted international norms, and US MLM as a given case having diplomatic immunity and if they observe laws, no difficulties or dangers can arise against their activities. If the General desires this at once - normal operations - this would be best, the continuing of the Huebner-Malinin Agreement. You understand that this situation is initiated by the fact that the German question is unsettled. This agreement reflects the situation which resulted at the end of the war. At the present time discussions are taking place between our governments to resolve all post-war problems including this question, for peacetime conditions. My hope is that the discussions between our governments will be crowned by success and all present agreements fall in the background, but now we hold to this document. We hope that the discussions will end the remnants of World War II which cannot exist forever.

CLARKE: I recognize the point you make. However, not having diplomatic contact with the people in the Zone of Soviet Responsibility in Germany, we must look to you to assure that the terms of the Huebner-Malinin Agreement are carried out. Specifically, I must have assurances that VOPOS will abandon their habit of detention and assessing penalties on the spot.

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If they don't stop that, we can only have future situations and meetings. I don't think that we can let a third party spoil what we do today. I can exercise that amount of influence in the American Area of Responsibility in Germany, and I fully believe that you have the power to exercise that amount of influence in your area of responsibility. I can give you those assurances in my area. If you can give me those in your area, we are in full agreement.

KONIEV: We differ in view of Zones. We do not have a Soviet occupational zone. The government is a state named the GDR which has its own law, internal affairs and external affairs and is responsible only to its own people. Soviet Forces here are not occupational troops. They are here in accordance with the Warsaw Pact between the USSR and the GDR. We cannot interfere in internal affairs or responsibility. Therefore, you present something of the action of a single policeman. Policeman act on laws. If laws are obeyed, they will not use such action. Second point, in regard to the Mission accredited to me, I have expressed regret for the incident and assure you of continued observance of the Huebner-Malinin Agreement. Third point, all incidents between Mission members and police will be rapidly investigated and appropriate action will be taken by our authorities. We never refuse, when requested, to have a Soviet officer at the scene. I consider this a full guarantee to continue normal operations. Accordingly, I propose if you think it necessary to release a communique that the Mission continues in the future on the basis of the Huebner-Malinin Agreement of 1947.

CLARKE: In my area, I am also in a country which has its own government and law. However, that government does recognize the relationship of your Mission to me, under the Huebner-Malinin Agreement. Can you assure the government in your area will recognize the agreement and operate under the provisions? I can assure you this will be done in my area. That is all we need.

KONIEV: I consider that you discriminate against the GDR and this is not correct.

CLARKE: I think the record justifies that doubt. I don't raise the question of sovereignty, as that is a political matter, but I do recognize that the Huebner-Malinin Agreement is recognized by the government in my area and we operate under that basis. If that were the case in your area, it would not be a problem.

KONIEV: I think there are no problems. The best solution is recognize the GDR and establish normal relations as we did with the Federal Republic. In addition, we have an Ambassador there.

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CLARKE: The point which you raise is not a problem which I have the ability to solve.

KONIEV: As soldiers, let us continue good relationships, resume normal operations and continue existing agreements. This is the only necessary condition to continue. All your worries are suppositions. There has been but one incident. We have already reached agreement. Why extend this to all remaining problems which will only worsen relationships? Let us only look at events and facts. Let us not consider incidents and assaults as though there were not others in 15 years. (Impression: Meaning, let us wipe slate clean.) It is not necessary to blow up the problem and complicate relationships. Let us stand above this. Let us have good feelings. Colonel Von Pawel views this with favor because he (meaning entire Mission personnel) can travel to West Berlin; therefore, let us normalize, let us continue, let us not complicate the matter. Let us normalize so that I can give the order to release the guards. This will be the best possible solution common to all. All will welcome this. We should look at this realistically like soldiers. Don't let the press and feelings interfere. Accept this as it is. There are unsolved questions that we cannot solve. You still use the term "Zone" and it will be necessary for us to keep sitting here if we try to solve everything. *See Note 2*

CLARKE: I suggest that we recess for fifteen minutes and then meet again. (Time: 1830). (During the break, Koniev communicated through his staff with someone, possibly the USSR Ambassador to GDR. Immediately after, his staff received a telephone call, Koniev returned to the conference.) Meeting reconvened at 1904. *See Note 2*

CLARKE: Marshal Koniev, you have in front of you what I propose to say. It is that in general we agree and understand. (General Clarke shows draft communique.)

KONIEV: I would say it is better to have a mutual (joint) communique and that we mutually accept the first part of your draft. Further that we agree on the fact that missions resume immediate normal operations, in accordance with the Huebner-Malinin Agreement of 1947. (Koniev presented his own handwritten proposed communique)(General Clarke accepted it).

CLARKE: A joint statement? We will operate on that basis and I hope and feel that you will do all you can to make it work successfully and I assure you that I will do all I can. I suggest that we go now for refreshments while Colonel Fitzgerald and Colonel Basistov jointly dictate the final communique. (Following was dictated to Sergeant Valles and then translated into Russian, read and agreed to by Marshal Koniev and General Clarke, before American and Russian officers as witnesses at 1930 hours, 5 April 1962):

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"Potsdam, 5 April 1962

JOINT COMMUNIQUE

Marshal Ivan Stepanovich Koniev, Commander in Chief of the Group of Soviet Forces in Germany, and General Bruce C. Clarke, Commander in Chief, United States Army, Europe, met today in Potsdam in order to discuss the question of the operation of the Military Liaison Missions accredited to the corresponding headquarters.

They agreed that their Liaison Missions would resume normal operations not later than 0001, 6 April 1962, and that the future operations of the Missions will continue on the basis of the Huebner-Malinin Agreement of 1947."

Both Commanders in Chief issued instructions for the removal of guards from the respective Military Liaison Missions. Within ten minutes, in Potsdam, all Soviet personnel, the hastily erected barrier across the access road were removed.

Lieutenant Colonel Kimmitt, USAREUR, informed Marshal Koniev (through Colonel Basistov) and the Chief, Soviet Military Liaison Mission-Frankfurt (Colonel Banov)(through Commander Fahey) that the US guards around SMLMF would be removed within one half hour (Time: 1925).

Marshal Koniev and Soviet delegation departed as indicated in paragraph 4. c., above.

END OF REPORT

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APPENDIX 1

OPENING STATEMENT - GENERAL CLARKE

My purpose in requesting this meeting is to assure that the personnel of my Liaison Mission accredited to you will be permitted to perform their customary functions in the future without being subjected to irresponsible actions which endanger their lives and equipment and to lengthy detentions which subject them to undue harassment. In recent weeks, two actions have occurred in the Soviet Area of Responsibility in Germany. One of these resulted in the serious wounding of a member of the British Liaison Mission for which I have no personal responsibility, but do have great concern. The second involved an American Mission vehicle and personnel and, while it did not result in personal injury, it involved serious damage to the U. S. vehicle as a result of gunfire, thereby endangering the lives of my Mission personnel. These two incidents are indicative of a condition and a trend which I cannot tolerate. I cannot permit my officers and men to operate under conditions wherein their lives are endangered by such irresponsible actions. Whatever the circumstances of the incident involving U. S. personnel, nothing more serious than a traffic violation has been alleged. I know of no cultured country in which gunfire is considered appropriate under such circumstances. I have no desire to become involved in a series of incidents and counter-incidents, contrived or otherwise. I reiterate that my purpose here is to obtain assurances that incidents of a similar nature will not occur in the future and to normalize our relationships as soon as possible. I am prepared to give such assurances concerning your Mission personnel. I propose, therefore, that we exchange such assurances and that a press release to the effect that we have met and exchanged such assurances be made. If this is agreeable, I feel that we can terminate this meeting promptly.

I believe it necessary that we agree in principle upon a set of rules governing action that should be taken if personnel of either mission is involved in accidents, incidents, traffic violations, or other infringements of local law.

I have a few ideas which I believe could serve as a basis for developing such a set of rules. These are as follows:

Local law enforcement agencies should have no jurisdiction within their respective areas over our mission personnel unless it be in the case of a serious felony or a practice which seriously endangers public safety. Instead, violations should be referred immediately to the representative of the headquarters to which the mission is accredited and if, in the opinion of that headquarters, the infraction is of a degree requiring disciplinary action, the report of the incident together with recommendations should be referred to the mission's parent command for action deemed appropriate.

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APPENDIX 1 (Continued)

You may say that such a practice would be an infringement of the sovereignty which you claim for the Soviet Area of Responsibility in Germany. I would reply that no nation has absolute sovereignty but that its sovereignty is always diminished in some degree by treaties, agreements, and international law. Furthermore, the question of what degree of sovereignty the Soviet Area of Responsibility in Germany does or does not enjoy is not a matter for us to determine as military men.

I would point out the above suggestion as to procedures is in consonance with the treatment which has been accorded your mission personnel, and that this is due to the punctiliousness and correctness of the Federal Republic of Germany in recognizing its prior treaty responsibilities. I find it difficult to believe that the Group of Soviet Forces in Germany cannot exercise comparable influence and reach similar agreement with local law enforcement agencies in the Soviet Area of Responsibility in Germany.

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AGREEMENT

ON MILITARY LIAISON MISSIONS ACCREDITED TO THE SOVIET AND UNITED STATES COMMANDERS IN CHIEF OF THE ZONES OF OCCUPATION IN GERMANY

In conformity with the provisions of Article 2 of the Agreement on "Control Mechanism in Germany", dated November 14, 1944, the United States and the Soviet Commanders in Chief of the zones of Occupation in Germany have agreed to exchange Military Liaison Missions accredited to their staffs in the zones and approve the following regulations concerning these missions:

1. These missions are military missions and have no authority over quadripartite military government missions or purely military government missions of each respective country, either temporarily or permanently, on duty in either zone. However, they will render whatever aid or assistance to said military government missions as is practicable.
2. Missions will be composed of air, navy and army representatives. There will be no political representative.
3. The missions will consist of not to exceed fourteen (14) officers and enlisted personnel. This number will include all necessary technical personnel, office clerks, personnel with special qualifications, and personnel required to operate radio stations.
4. Each mission will be under the orders of the senior member of the mission who will be appointed and known as "Chief of the United States (or Soviet) Military Mission".
5. The Chief of the mission will be accredited to the Commander in Chief of the occupation forces.
- In the United States zone the mission will be accredited to Commander in Chief, United States European Command.
- In the Soviet zone the mission will be accredited to the Commander in Chief of the Group of Soviet Occupational Forces in Germany.
6. In the United States zone the Soviet Mission will be offered quarters in the region of Frankfurt.
7. In the Soviet zone the United States Mission will be offered quarters at or near Potsdam.
8. In the United States zone the Chief of the Soviet Mission will communicate with A/C of Staff, G-3, United States European Command.

(Agreement Continued)

9. In the Soviet zone the Chief of the United States Mission will communicate with the Senior Officer of the Staff of Commander-in-Chief.

10. Each member of the missions will be given identical travel facilities to include identical permanent passes in Russian and English languages permitting complete freedom of travel wherever and whenever it will be desired over territory and roads in both zones, except places of disposition of military units, without escort or supervision.

Each time any member of Soviet or United States mission wants to visit United States or Soviet headquarters, military government offices, forces, units, military schools, factories and enterprises which are under United States or Soviet control, a corresponding request must be made to Director, Operations, Plans, Organization and Training, European Command, or Senior Officer, Headquarters, Group of Soviet Occupational Forces in Germany. Such requests must be acted upon within 24 - 72 hours.

Members of the missions are permitted allied guests at the headquarters of the respective missions.

11. a. Each mission will have its own radio station for communication with its own headquarters.

b. In each case couriers and messengers will be given facilities for free travel between the headquarters of the mission and headquarters of their respective Commanders-in-Chief. These couriers will enjoy the same immunity which is extended to diplomatic couriers.

c. Each mission will be given facilities for telephone communication through the local telephone exchange at the headquarters, and they also will be given facilities such as mail, telephone, telegraph through the existing means of communication when the members of the mission will be traveling within the zone. In case of a breakdown in the radio installation, the zone commanders will render all possible aid and will permit temporary use of their own systems of communication.

12. The necessary rations, P.O.L. supplies and household services for the military missions will be provided for by the headquarters to which accredited, by method of mutual compensation in kind, supplemented by such items as desired to be furnished by their own headquarters.

In addition the respective missions or individual members of the missions may purchase items of Soviet or United States origin which must be paid for in currency specified by the headquarters controlling zone where purchase is made.

(Agreement Continued)

13. The buildings of each mission will enjoy full right of extra-territoriality.

14. a. The task of the mission will be to maintain liaison between both Commanders in Chief and their staffs.

b. In each zone the mission will have the right to engage in matters of protecting the interests of their nationals and to make representations accordingly, as well as in matters of protecting their property interests in the zone where they are located. They have a right to render aid to people of their own country who are visiting the zone where they are accredited.

15. This agreement may be changed or applied by mutual consent to cover new subjects when the need arises.


16. This agreement is written in russian and english languages and both texts are authentic.

17. This agreement becomes valid when signed by Deputy Commanders of United States and Soviet Zones of Occupation.


Lieutenant-General HUEBNER

Deputy Commander in Chief,
European Command.




Colonel-General MALININ

Deputy Commander in Chief,
Chief of Staff of the Group
of Soviet Occupation Forces
in Germany

San Peters 1944